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VIET PUBLISHER GETS FIVE YEARS

Convicted Of Providing Data To Red Agent

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Saigon, July 4—A five-man military tribunal sentenced the publisher of an English-language Saigon newspaper to five years in prison tonight on charges that he gave information to a Communist intelligence team headed by a lifelong friend.

The head of the intelligence "network" admitted being a Viet Cong captain and was given a life sentence.

Court That Sentenced Dzu

The field military court is the same one that sentenced Truong Dinh Dzu, runner-up in the Presidential election, to five years at hard labor and convicted a Buddhist leader, Thich Thien Minh, of harboring draft dodgers.

The court acted after hearing 8 hours of testimony from 22 defendants who were tried simultaneously today.

The court took 15 minutes to convict or acquit the 22 defendants and another hour to determine their sentences.

The defendants were the only witnesses brought forth by the prosecution, although high-level sources in the United States mission here repeatedly have said they had seen evidence which firmly convinced them of the publisher's guilt.

Confessions Repudiated

Both Nguyen Lau, publisher of the Saigon Daily News, which was closed on other charges after his April 14 arrest, and Tran Ngoc Hien, the Viet Cong agent, repudiated earlier confessions in which they said the publisher knew that his friend was an enemy agent.

Five of the other defendants were acquitted, and the others, including two women, received

suspended sentences to life in prison.

The trial was held in a courtroom behind the barbed-wire fences of the Vietnamese naval headquarters compound, opposite Saigon's waterfront.

Defense Lawyers Robed

The five judges and the prosecutor wore military uniforms, and the defense lawyers wore traditional, fur-trimmed black robes. Rifle-bearing soldiers and military policemen guarded both doors to the courtroom, and other armed soldiers stood by outside.

"Despite the tight security, an air of informality pervaded the courtroom as some women wearing traditional Vietnamese ao dais removed their sandals and put their bare feet on the backs of the benches in front of them. Children—relatives of the defendants—played outside the open courtroom doors, and soldiers and other spectators standing outside the hall leaned through the nine open windows to get a better view of the proceedings.

One child stretched out on a bench in the courtroom to sleep through much of the trial.

Experience In Jail

Mr. Lau insisted today that his earlier admission—made at a press conference at which the defendants were paraded as evidence that a major spy ring had been broken—stemmed from his emotional reactions to the first arrest in his life and the experience of being in jail, where he said he heard people crying in other cells.

He admitted today that he knew Mr. Hien and discussed politics with him and said he once gave him a letter certifying that he was employed by the Daily News — even though he was not—to help him convince his family he was working.

Mr. Hein, a 48-year-old former political science professor with a doctorate from Hanoi University, admitted today that he had gone to North Vietnam for training and then returned South in 1964 to set up an espionage ring.

Persuasion Failed

He said that his publisher friend was considered useful by the National Liberation Front because of his influence. His access to information and officials and his access to foreign correspondents.

But he said Mr. Lau was not aware of Mr. Hien's role with the enemy and that efforts to win Mr. Lau to the Communist side had failed.

Mr. Hien added that efforts to convince his own brother, Tran Ngoc Chau, now the secretary general of South Vietnam's Lower House, to join the Communists had been unsuccessful.

One of the other defendants sentenced today was Vo Dinh Cuong, a Buddhist lay leader, who was given 5 years on a charge of disturbing the national security.

25th Paper Banned

He denied the charge and said: "I have been a Buddhist layman for 30 years, so I can never become a Communist." Mr. Cuong is a cousin of the Viet Cong captain.

Nguyen Lau's paper was one of three English-language dailies in Saigon and was the 25th paper banned or suspended since censorship was supposedly abolished a year ago. Others have been suspended since it was closed.

At the time it was closed, it was charged with printing articles "harmful to the national cause."